

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-EIGHTH DAY — TUESDAY, APRIL 11, 2023

The house met at 10:31 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 125).

Present — Mr. Speaker(C); Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Harless; Martinez Fischer; Schofield.

The invocation was offered by the Reverend Jakob N. Hurlimann, chaplain, as follows:

Good and gracious God, your gaze pierces the hearts of all, softening those which are open to receiving your word. May your grace this day enter into the lives of your children gathered here, that their eyes may see you, that their ears may hear you, that they be reminded of your never-failing love for them, which compels us to love you and your creation in turn. We ask this through Christ our Lord. Amen.

The chair recognized Representative Spiller who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

Harless on motion of Raney.

The following members were granted leaves of absence for today because of important business in the district:

Martinez Fischer on motion of R. Lopez.

Schofield on motion of Oliverson.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The chair presented Dr. Brook Carter of Temple as the "Doctor for the Day."

The house welcomed Dr. Carter and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Metcalf and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

HR 1055 - ADOPTED (by Patterson)

Representative Patterson moved to suspend all necessary rules to take up and consider at this time **HR 1055**.

The motion prevailed.

The following resolution was laid before the house:

HR 1055, In memory of Sergeant Bishop Elijah Evans of the Texas Army National Guard.

HR 1055 was unanimously adopted by a rising vote.

On motion of Representative Turner, the names of all the members of the house were added to **HR 1055** as signers thereof.

HR 898 - ADOPTED (by Gámez)

Representative Gámez moved to suspend all necessary rules to take up and consider at this time **HR 898**.

The motion prevailed.

The following resolution was laid before the house:

HR 898, Congratulating Gloria I. Chavez on her appointment as U.S. Border Patrol chief of the Rio Grande Valley Sector.

HR 898 was adopted.

On motion of Representative Hernandez, the names of all the members of the house were added to **HR 898** as signers thereof.

HCR 100 - ADOPTED
(by Howard)

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HCR 100**.

The motion prevailed.

The following resolution was laid before the house:

HCR 100, Congratulating Texas Impact on its 50th anniversary.

HCR 100 was adopted. (Anderson, Bumgarner, Burrows, Cain, Dorazio, Gates, Gerdes, C.J. Harris, Harrison, Hayes, Hull, Schatzline, Shaheen, Slawson, Swanson, Swanson, Tepper, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

HR 1011 - ADOPTED
(by Howard)

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HR 1011**.

The motion prevailed.

The following resolution was laid before the house:

HR 1011, Congratulating the Division of Digital Learning on receiving the 2022 Open Policy Award from Open Education Global.

HR 1011 was adopted.

(C.J. Harris in the chair)

HR 1005 - ADOPTED
(by Bhojani)

Representative Bhojani moved to suspend all necessary rules to take up and consider at this time **HR 1005**.

The motion prevailed.

The following resolution was laid before the house:

HR 1005, Recognizing the Student Advocates for Speech club in Euless on the occasion of Students Engaged in Advancing Texas Day at the State Capitol on April 11, 2023.

HR 1005 was adopted.

COMMITTEE MEETING ANNOUNCEMENTS

At 11:02 a.m., the following committee meetings were announced:

Youth Health and Safety, Select, upon adjournment today, Desk 67, for a formal meeting, to consider pending and referred business.

Ways and Means, upon adjournment today, Desk 41, for a formal meeting, to consider pending and referred business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Metcalf moved to suspend the five-day posting rule to allow the Committee on House Administration to consider **SB 640** at 9 a.m. tomorrow in JHR 120.

The motion prevailed.

PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR

Representative Guerra moved to set a congratulatory and memorial calendar for 9 a.m. Friday, April 14.

The motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative Lozano moved to suspend the five-day posting rule to allow the Committee on Urban Affairs to consider **HB 3844** at 2 p.m. or upon final adjournment or recess or during bill referral, if permission is granted, today in E2.028.

The motion prevailed.

(Speaker in the chair)

HB 2 - COMMITTEE ON CALENDARS RULE ADOPTED

Representative Burrows moved to adopt the following rule governing floor consideration for **HB 2**:

SECTION 1. This rule for floor consideration of **HB 2** is proposed by the Committee on Calendars, pursuant to House Rule 3, Section 4(2). The rule will be effective if it is approved by the house, in accordance with House Rule 6, Section 16(f).

SECTION 2. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 2 p.m. on Wednesday, April 12.

The Committee on Calendars rule was adopted.

HJR 1 - COMMITTEE ON CALENDARS RULE ADOPTED

Representative Burrows moved to adopt the following rule governing floor consideration for **HJR 1**:

SECTION 1. This rule for floor consideration of **HJR 1** is proposed by the Committee on Calendars, pursuant to House Rule 3, Section 4(2). The rule will be effective if it is approved by the house, in accordance with House Rule 6, Section 16(f).

SECTION 2. All original amendments that will be offered during second reading consideration of the resolution must be filed with the chief clerk by 2 p.m. on Wednesday, April 12.

The Committee on Calendars rule was adopted.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 15 ON THIRD READING
(by S. Thompson, Craddick, Buckley, Bonnen, et al.)**

HB 15, A bill to be entitled An Act relating to the creation of the Mental Health and Brain Research Institute of Texas.

HB 15 was passed by (Record 126): 116 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; DeAyala; Gates; Gerdes; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Landgraf; Leach; Leo-Wilson; Murr; Noble; Oliverson; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C); Klick.

Absent, Excused — Harless; Martinez Fischer; Schofield.

STATEMENTS OF VOTE

When Record No. 126 was taken, I was shown voting yes. I intended to vote no.

Dorazio

When Record No. 126 was taken, I was shown voting no. I intended to vote yes.

Gerdes

When Record No. 126 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 126 was taken, I was shown voting yes. I intended to vote no.

Troxclair

When Record No. 126 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 1750 ON THIRD READING

(by Burns, K. Bell, C.J. Harris, Metcalf, Burrows, et al.)

HB 1750, A bill to be entitled An Act relating to the applicability of certain city requirements to agricultural operations.

HB 1750 - REMARKS

REPRESENTATIVE BURNS: I had questions from some members about the use of the term "imminent" and "imminent danger," where we allow cities to regulate when there's imminent danger. Of course, that means the purpose is for a city to show that there is going to be danger, that there is something bad that could happen, that it is imminent—that there is definitely harm that could happen so it could be regulated. The term "imminent" that we are using, it's my intention—the intention should be that "imminent" means "such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger could be eliminated." I hope that answers the question, I believe it does.

REPRESENTATIVE MORALES SHAW: I just wanted to ask a couple things on your bill. I wanted to know who makes the decision about whether it's considered an imminent danger.

BURNS: Ultimately, the council. Of course, they would have to have a study or a process. And it's in the bill where they would show and demonstrate how a particular practice, or whatever, would cause imminent danger and then they would make that determination and if they can show that it is dangerous, then they would be able to regulate.

MORALES SHAW: Do you have a couple of examples of what would be considered an imminent danger?

BURNS: You bet. For example, let's say a corn crop is at an intersection, and there was no setback, and it was right up to the highway line or whatever, that would pose a threat of imminent danger because you couldn't see traffic coming in either direction. That would be an example where that would be the case. Or, let's say you had cattle or livestock on a piece of property and you didn't maintain your fences and the cattle could get out into traffic then that would pose a threat of imminent danger as well.

MORALES SHAW: Okay, thank you. Is there any part of regulation that's grandfathered in? How is that treated with your bill?

BURNS: So the original Right to Farm Act was created in 1981 and, interestingly, agricultural operations from 1981 going forward were protected under the original Right to Farm Act, which is not a whole lot different than what we've got here. This bill would expand that to include all agricultural operations because, honestly, there was a lot of confusion about trying to prove whether or not an agricultural operation started before 1981 or after 1981. And so we want to provide that same protection to all of them.

MORALES SHAW: Okay, good. For example, if there's a rural area, but the city has pretty much grown around it, the city has an opportunity to say "Hey, this poses a danger. We need to look at it," otherwise the landowner has the right to carry on? Is that a correct understanding?

BURNS: That's correct. As our folks that have typically been in agrarian communities now find themselves surrounded by new neighbors, and sometimes new regulation, the burden would be on the city to show this practice is a danger to the public, to the neighbors. And if it is, then they have the ability to regulate that.

REPRESENTATIVE BERNAL: Representative, I wanted to get to the bottom of the spirit of the bill. Essentially, where this bill comes from is—and tell me if I get this wrong—there might be a farm in operation for 150 years, legacy farm, there's a city nearby that continues to grow and then, either there's a subdivision built around it or they try to annex the land where the farm is, all of a sudden, those farmers might be subject to these new regulations or ordinances by the city, even though all they are doing is what they've always done for 150 years. And this bill would allow them to continue to do that without having to change or to adjust or to leave as a result of all of a sudden finding themselves within the boundaries of that city, is that right?

BURNS: That is correct.

BERNAL: Because, essentially, they were there first. It's not unlike—for the democrats who represent urban areas—an area in the middle of the downtown where an area becomes attractive because it's an entertainment district—or let's say, in my neighborhood, in my district, the gay strip—where all of a sudden the neighborhood's attractive people come in, they buy houses, they spend a lot of money on houses. But then, all of a sudden it's "I've got people parking in front of my house. The bass is too loud, I can hear the music on the weekend." And the response should be, "Well, those people were there first." You don't get to terraform a community because it doesn't meet the likings of the newcomer. All this bill does is preserve the right of farmers to do what they've always done for generations. Is that right?

BURNS: That's correct. Unless there is an actual valid, provable threat of imminent danger and then, of course, it can be regulated.

REPRESENTATIVE CANALES: I'm going to vote for your bill, I've just got one question for you. So it says what's going to happen here is we're going to allow Texas A&M AgriLife Extension Service to determine the activities that are qualified as "generally accepted agricultural practices." Is that correct?

BURNS: Yes, sir.

CANALES: Are we creating a duty for them now? Is this something else that's added to what they are already doing?

BURNS: What we're trying to do is provide— The whole goal and intent of that is, as we have folks that aren't familiar with agriculture that might need to know what it is that's going on here. We talked to the Extension and the Extension said this is something they could do and would be happy to do.

CANALES: And I understand that. So I understand what the intent of the bill is, I understand the purpose of the bill, and I agree with what you're doing. What we're also doing is creating an obligation now, that A&M AgriLife Extension Service have to do and it doesn't say who's going to pay for this. And so I am going to vote for your bill, but I've got a question as to who the heck's going to pay for this extra service that A&M's going to provide and did we do an appropriation? Is there a rider that goes along with this? Have we talked to them about what it costs? So like I said, I like your bill, there's just a fiscal concern that I've got that we're giving them an unfunded mandate to do something and it doesn't mention anything in the HRO, it doesn't mention anything in anything I've read. Let me ask you: with every additional obligation that we give somebody, there's a price associated with it. There's a price associated with this bill and I don't know what it is. And although I'm going to vote for it, I'm concerned that nobody in here knows what—and I know they want to do it and they said they'd love to do it, but what does it cost?

BURNS: Right. I don't know. I believe that—in our conversations with the Extension, I'm led to believe it is something that they could fold into what they already do. But I couldn't tell you— There's not a fiscal note on the bill, obviously, and I'm not for unfunded mandates either. I'm led to believe this is something they could fold into what they're already doing.

CANALES: So the A&M AgriLife Extension Service is a big part of South Texas and what we do and I live in an agricultural community and I can tell you there's nothing about this that seems like— I agree that they're going to be able to fold it in to the obligations, but it is an extra obligation that they're going to absorb. I'm just very curious. The fact that you can't tell me is all right, I just think that that is a concern that we should have when we're giving a university, or any portion of a university, or an agricultural extension such as A&M something else they're going to be doing. We need to be able to identify what that cost is before we do something, but thank you for your answers.

HB 1750 was passed by (Record 127): 143 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rosenthal; Schaefer; Schatzline; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos; Rose; Sherman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

STATEMENTS OF VOTE

When Record No. 127 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 127 was taken, I was shown voting no. I intended to vote yes.

Rose

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print all remarks on **HB 1750**.

The motion prevailed.

HB 2308 ON THIRD READING

(by Ashby, Bailes, Rogers, Kitzman, Cain, et al.)

HB 2308, A bill to be entitled An Act relating to nuisance actions and other actions against agricultural operations.

HB 2308 was passed by (Record 128): 142 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland;

Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Dorazio; Dutton; Schatzline.

STATEMENTS OF VOTE

When Record No. 128 was taken, I was in the house but away from my desk. I would have voted yes.

Dorazio

When Record No. 128 was taken, I was excused because of illness. I would have voted yes.

Harless

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

HB 450 ON THIRD READING (by Craddick and Burrows)

HB 450, A bill to be entitled An Act relating to a cause of action for the bad faith washout of an overriding royalty interest in an oil and gas lease.

HB 450 was passed by (Record 129): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales,

E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Cole; Dorazio; Slawson.

STATEMENTS OF VOTE

When Record No. 129 was taken, I was in the house but away from my desk. I would have voted yes.

Dorazio

When Record No. 129 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 129 was taken, my vote failed to register. I would have voted yes.

Slawson

HB 1699 ON THIRD READING

(by T. King)

HB 1699, A bill to be entitled An Act relating to the authority of the Evergreen Underground Water Conservation District to impose certain fees.

HB 1699 was passed by (Record 130): 118 Yeas, 26 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Wiener.

Nays — Bumgarner; Cain; Cook; DeAyala; Gates; Harrison; Hayes; Hull; Isaac; Leach; Leo-Wilson; Noble; Oliverson; Patterson; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C); Bell, C.

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Thompson, E.

STATEMENTS OF VOTE

When Record No. 130 was taken, I was shown voting present, not voting. I intended to vote yes.

C. Bell

When Record No. 130 was taken, I was excused because of illness. I would have voted yes.

Harless

HB 393 ON THIRD READING

(by Goldman, Burrows, Moody, Canales, Metcalf, et al.)

HB 393, A bill to be entitled An Act relating to restitution payments for the support of a child whose parent or guardian is a victim of intoxication manslaughter.

HB 393 was passed by (Record 131): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Shaheen; Sherman; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Dorazio; Johnson, J.D.; Schaefer; Shine.

STATEMENTS OF VOTE

When Record No. 131 was taken, I was in the house but away from my desk. I would have voted yes.

Dorazio

When Record No. 131 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 131 was taken, I was in the house but away from my desk. I would have voted yes.

Shine

HB 242 ON THIRD READING

(by Howard, J.E. Johnson, Slawson, Leach, et al.)

HB 242, A bill to be entitled An Act relating to liability for the donation and distribution of feminine hygiene products.

HB 242 was passed by (Record 132): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Kuempel.

STATEMENTS OF VOTE

When Record No. 132 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 132 was taken, I was in the house but away from my desk. I would have voted yes.

Kuempel

**HB 1382 ON THIRD READING
(by Hernandez)**

HB 1382, A bill to be entitled An Act relating to the public sale of real property taken in execution of a judgment.

HB 1382 was passed by (Record 133): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Anderson; Gates; Johnson, J.E.

STATEMENTS OF VOTE

When Record No. 133 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 133 was taken, I was excused because of illness. I would have voted yes.

Harless

HB 1748 ON THIRD READING**(by Leach, et al.)**

HB 1748, A bill to be entitled An Act relating to the use of a facsimile signature on certain public securities and related certificates.

HB 1748 was passed by (Record 134): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Nays — Slaton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Thompson, E.

STATEMENT OF VOTE

When Record No. 134 was taken, I was excused because of illness. I would have voted yes.

Harless

HB 1488 ON THIRD READING**(by Rose, J.D. Johnson, A. Johnson, Oliverson, et al.)**

HB 1488, A bill to be entitled An Act relating to sickle cell disease health care improvement and the sickle cell task force.

HB 1488 was passed by (Record 135): 107 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Burns; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Darby;

Davis; Dean; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Spiller; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bonnen; Bumgarner; Cain; Cunningham; DeAyala; Dorazio; Gerdes; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Leach; Leo-Wilson; Metcalf; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Stucky; Swanson; Tepper; Thimesch; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Burrows; Frazier; Gates; Kuempel; Morrison; Smithee.

STATEMENTS OF VOTE

When Record No. 135 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 135 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 135 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 135 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 135 was taken, I was excused because of illness. I would have voted no.

Harless

When Record No. 135 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

When Record No. 135 was taken, my vote failed to register. I would have voted no.

Smithee

When Record No. 135 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

HB 362 ON THIRD READING

(by Oliverson, Howard, Talarico, Cole, Leo-Wilson, et al.)

HB 362, A bill to be entitled An Act relating to the use, possession, delivery, or manufacture of testing equipment that identifies the presence of fentanyl, alpha-methylfentanyl, or any other derivative of fentanyl.

HB 362 was passed by (Record 136): 143 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Slaton; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Guerra.

STATEMENTS OF VOTE

When Record No. 136 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 136 was taken, I was excused because of illness. I would have voted no.

Harless

HB 1789 ON THIRD READING
(by Buckley)

HB 1789, A bill to be entitled An Act relating to the application of nepotism prohibitions to a person appointed or employed by a school district as a bus driver.

HB 1789 was passed by (Record 137): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Johnson, J.D.; Morales Shaw.

STATEMENT OF VOTE

When Record No. 137 was taken, I was excused because of illness. I would have voted yes.

Harless

HB 914 ON THIRD READING
(by Hefner, Goldman, Canales, Moody, and J. Lopez)

HB 914, A bill to be entitled An Act relating to temporary vehicle tags and the offense of tampering with a governmental record.

HB 914 was passed by (Record 138): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Guerra; Hayes.

STATEMENTS OF VOTE

When Record No. 138 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 138 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 138 was taken, I was in the house but away from my desk. I would have voted yes.

Hayes

HB 1088 ON THIRD READING (by A. Johnson)

HB 1088. A bill to be entitled An Act relating to the representation of a community supervision and corrections department in cases in which a person under the supervision of that department challenges the fact or duration of the supervision.

HB 1088 was passed by (Record 139): 141 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins;

Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Canales; Slaton; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Rosenthal; Wilson.

STATEMENTS OF VOTE

When Record No. 139 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 139 was taken, my vote failed to register. I would have voted yes.

Rosenthal

When Record No. 139 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

HB 879 ON THIRD READING (by Cook and K. Bell)

HB 879, A bill to be entitled An Act relating to the qualifications required to hold the office of constable in certain counties.

HB 879 was passed by (Record 140): 120 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison;

Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bailes; Bucy; Cain; Canales; Collier; Flores; Gates; Goodwin; Hayes; Hefner; Hinojosa; Isaac; Kitman; Metcalf; Morales, C.; Ramos; Schaefer; Shaheen; Sherman; Slaton; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Frazier.

STATEMENTS OF VOTE

When Record No. 140 was taken, I was excused because of illness. I would have voted yes.

Harless

When Record No. 140 was taken, I was shown voting yes. I intended to vote no.

Howard

HB 793 ON THIRD READING

(by Noble, Hull, Campos, Manuel, Klick, et al.)

HB 793, A bill to be entitled An Act relating to the selection and reimbursement of certain persons providing services required under a service plan filed by the Department of Family and Protective Services.

HB 793 was passed by (Record 141): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Guerra.

STATEMENTS OF VOTE

When Record No. 141 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 141 was taken, I was excused because of illness. I would have voted yes.

Harless

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSHB 8 ON SECOND READING

(by VanDeaver, Kuempel, Buckley, Bonnen, Longoria, et al.)

CSHB 8, A bill to be entitled An Act relating to the administration, coordination, and support of public higher education, including the public junior college state finance program and a Financial Aid for Swift Transfer (FAST) program to enable certain students to enroll at no cost to the student in dual credit courses offered by certain public institutions of higher education.

CSHB 8 was passed to engrossment.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSHB 492 ON SECOND READING

(by Craddick)

CSHB 492, A bill to be entitled An Act relating to the creation and operation of a mental health services district by the Midland County Hospital District of Midland County, Texas, and the Ector County Hospital District.

CSHB 492 was passed to engrossment.

HB 1024 ON SECOND READING

(by S. Thompson, Kuempel, Hernandez, Darby, and Allen)

HB 1024, A bill to be entitled An Act relating to the value of a residential dwelling offered or awarded as a prize at a charitable raffle.

Representative S. Thompson moved to postpone consideration of **HB 1024** until 10 a.m. Monday, April 17.

The motion prevailed.

CSHB 1825 ON SECOND READING
(by Turner and Cook)

CSHB 1825, A bill to be entitled An Act relating to the consumption, possession, and sale of alcoholic beverages at certain performing arts facilities owned by certain school districts.

A record vote was requested by Representative Isaac.

CSHB 1825 was passed to engrossment by (Record 142): 107 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Gámez; García; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harrison; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Ordaz; Ortega; Paul; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Slaton; Spiller; Stucky; Talarico; Tepper; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwienier.

Nays — Ashby; Bell, C.; Buckley; Bumgarner; Cain; Canales; DeAyala; Dorazio; Frazier; Gates; Gerdes; Harris, C.J.; Hayes; Hefner; Holland; Hull; Isaac; Kitzman; Leach; Leo-Wilson; Metcalf; Noble; Oliverson; Patterson; Price; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Smith; Smithee; Swanson; Thimesch; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Lujan; Orr.

STATEMENTS OF VOTE

When Record No. 142 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 142 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 142 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 142 was taken, I was in the house but away from my desk. I would have voted yes.

Lujan

When Record No. 142 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 142 was taken, I was shown voting yes. I intended to vote no.

Stucky

CSHB 205 ON SECOND READING (by Moody)

CSHB 205, A bill to be entitled An Act relating to an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the applicant's trial.

CSHB 205 was passed to engrossment.

CSHB 1805 ON SECOND READING (by Klick, et al.)

CSHB 1805, A bill to be entitled An Act relating to the medical use of low-THC cannabis by patients with certain medical conditions.

A record vote was requested by Representative Anderson.

CSHB 1805 was passed to engrossment by (Record 143): 121 Yeas, 23 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Cain; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, S.; Tinderholt; Toth; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Burrows; Capriglione; Cook; DeAyala; Dorazio; Frazier; Hefner; Kitzman; Leo-Wilson; Metcalf; Murr; Noble; Paul; Schaefer; Shaheen; Slaton; Slawson; Thompson, E.; Troxclair; Wilson.

Present, not voting — Mr. Speaker(C); Lopez, J.

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Lalani.

STATEMENTS OF VOTE

When Record No. 143 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 143 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 143 was taken, my vote failed to register. I would have voted yes.

Lalani

When Record No. 143 was taken, I was shown voting present, not voting. I intended to vote yes.

J. Lopez

When Record No. 143 was taken, I was shown voting no. I intended to vote yes.

Troxclair

CSHB 728 ON SECOND READING

(by Rose)

CSHB 728, A bill to be entitled An Act relating to the statewide interagency aging services coordinating council.

A record vote was requested by Representative Isaac.

CSHB 728 was passed to engrossment by (Record 144): 92 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burrows; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Darby; Davis; Dutton; Flores; Frank; Frazier; Gámez; García; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales

Shaw; Muñoz; Murr; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Spiller; Talarico; Thierry; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bonnen; Buckley; Bumgarner; Burns; Button; Cain; Cook; Craddick; Cunningham; Dean; DeAyala; Dorazio; Gates; Gerdes; Goldman; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kitzman; Leach; Leo-Wilson; Metcalf; Morrison; Noble; Oliverson; Patterson; Paul; Price; Rogers; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Johnson, J.D.; Thompson, S.

STATEMENTS OF VOTE

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

Hunter

HB 2970 ON SECOND READING (by Guillen)

HB 2970, A bill to be entitled An Act relating to the municipal regulation of HUD-code manufactured homes.

A record vote was requested by Representative Canales.

HB 2970 was passed to engrossment by (Record 145): 114 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harrison; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lujan; Manuel; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Ordaz; Orr; Ortega;

Paul; Perez; Plesa; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Shine; Slaton; Smithee; Spiller; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Anchía; Bryant; Bumgarner; Canales; Collier; Cook; Dean; Dorazio; Gerdes; Harris, C.J.; Hayes; Hull; Hunter; Johnson, J.E.; Kitzman; Klick; Landgraf; Leach; Lozano; Martinez; Murr; Oliverson; Patterson; Price; Ramos; Sherman; Slawson; Smith; Stucky; Tepper; Thimesch; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

STATEMENTS OF VOTE

When Record No. 145 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 145 was taken, I was shown voting no. I intended to vote yes.

Dorazio

When Record No. 145 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 145 was taken, I was shown voting yes. I intended to vote no.

Noble

HB 2374 ON SECOND READING

(by Landgraf, Darby, Manuel, Thimesch, Button, et al.)

HB 2374, A bill to be entitled An Act relating to the authority of a political subdivision to regulate an energy source or engine.

Representative Landgraf moved to postpone consideration of **HB 2374** until 10 a.m. Monday, April 17.

The motion prevailed.

CSHB 797 ON SECOND READING

(by Button, Cook, K. Bell, et al.)

CSHB 797, A bill to be entitled An Act relating to eligibility requirements for a certified public accountant certificate and to take the uniform CPA examination.

Representative Button moved to postpone consideration of **CSHB 797** until 10 a.m. Tuesday, April 18.

The motion prevailed.

HB 1422 ON SECOND READING**(by Metcalf, Murr, Slawson, Rogers, et al.)****HB 1422**, A bill to be entitled An Act relating to daylight saving time.

A record vote was requested by Representative Tinderholt.

HB 1422 was passed to engrossment by (Record 146): 136 Yeas, 5 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu.

Nays — Anchía; Hinojosa; Kitzman; Noble; Zwiener.

Present, not voting — Mr. Speaker(C); Dean; Leo-Wilson.

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — King, T.; Meza; Morales Shaw.

HB 64 ON SECOND READING**(by Landgraf)****HB 64**, A bill to be entitled An Act relating to the peace officers authorized to operate an authorized emergency vehicle used to conduct a police escort.**HB 64** was passed to engrossment.**HB 165 ON SECOND READING****(by A. Johnson, Bonnen, Kuempel, Landgraf, Ordaz, et al.)****HB 165**, A bill to be entitled An Act relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.**HB 165** was passed to engrossment.

CSHB 90 ON SECOND READING**(by Patterson, Buckley, Cook, Raymond, Shine, et al.)**

CSHB 90, A bill to be entitled An Act relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.

Amendment No. 1

Representative Patterson offered the following amendment to **CSHB 90**:

Amend **CSHB 90** (house committee printing) as follows:

(1) On page 2, line 1, strike "for the payment of assistance under this chapter" and substitute "to receive a lump sum payment described by Section 615.022 and monthly assistance described by Section 615.023, as applicable, which are the exclusive benefits available under this chapter,".

(2) On page 4, line 2, between "location" and "is", insert "while serving on state active duty and engaged in authorized duty under written orders".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Turner and Patterson offered the following amendment to **CSHB 90**:

Amend **CSHB 90** (house committee printing) as follows:

(1) On page 1, lines 20 and 21, strike "state active duty" and "Texas military forces" and substitute "state active duty," "Texas military forces," and "Texas National Guard".

(2) On page 2, strike lines 8 through 12 and substitute the following:

(A) if the individual is a member of the Texas National Guard, a beneficiary designated by the individual on the individual's United States Department of Defense Form DD-93; or

(B) if the individual is not a member of the Texas National Guard or there is no beneficiary described by Paragraph (A):

(i) the surviving spouse of the individual;

(ii) a surviving child of the individual, if there is no surviving spouse; or

(iii) the surviving parent of the individual, if there is no surviving spouse or child.

Amendment No. 2 was adopted.

Amendment No. 3

Representative C. Bell offered the following amendment to **CSHB 90**:

Amend **CSHB 90** (house committee printing) as follows:

(1) On page 3, lines 25 and 26, strike "state active duty" and "Texas military forces" and substitute "state active duty," "state training and other duty," and "Texas military forces".

(2) On page 4, line 2, between "location" and "is", insert "or while on state training and other duty".

Amendment No. 3 was adopted.

Amendment No. 4

Representatives Murr and Patterson offered the following amendment to **CSHB 90**:

Amend **CSHB 90** (house committee printing) as follows:

(1) On page 2, line 2, between "died" and "while", insert "on or after March 6, 2021,".

(2) On page 6, strike lines 1 through 7 and substitute the following:

SECTION 9. (a) In this section, "state active duty" and "Texas military forces" have the meanings assigned by Section 437.001, Government Code.

(b) Notwithstanding any other law, a survivor of an individual who was a member of the Texas military forces and who, on or after the date the governor directed the Department of Public Safety to initiate Operation Lone Star under Chapter 437, Government Code, but before the effective date of this Act, died while on state active duty is, subject to the requirements of Section 615.024, Government Code, as added by this Act, eligible for the benefits described by that section.

(3) On page 6, line 8, strike "(b)" and substitute "(c)".

Amendment No. 4 was adopted.

CSHB 90, as amended, was passed to engrossment.

HB 178 ON SECOND READING
(by Murr and Cook)

HB 178, A bill to be entitled An Act relating to testing possible controlled substance evidence for fentanyl.

HB 178 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WU: Your legislation says a test must be performed if it meets certain criteria, correct?

REPRESENTATIVE MURR: Yes, that's correct.

WU: The criteria is that the evidence "may be a controlled substance and it's reasonably possible for it to contain fentanyl."

MURR: That is the language in the bill, yes, sir.

WU: I just want to be clear that any drug evidence that's collected could contain fentanyl. Would that be fair?

MURR: I think that's a fair conclusion you would derive from that, but that doesn't necessarily read into the "reasonably possible" measure there. The language that we have in front of us—I worked with DPS and others, since DPS operates the 16 crime labs across the State of Texas, and we worked on what does "reasonably possible" mean. Under the provisions of the bill, it could mean any of the following: for example, if a submitter indicates on a lab submission form or other paperwork that the substance is believed or purported to be fentanyl, that would be reasonably possible. Second, if the evidence is identical or similar to

manufacturer markings and packaging for fentanyl products, that could be reasonably possible. Third, if a forensic scientist suspects that a submitted item may be fentanyl based on their training and experience, that could be reasonably possible. Finally, I think this is where you are landing, is all unknown powders, crystals, or liquid substances oftentimes can be reasonably possible to include fentanyl.

WU: Ultimately, based on this legislation, who has the final say on whether something will or will not be tested for fentanyl?

MURR: Based on how this is written, that's going to be the person that submits the request. So that's going to be a law enforcement agency and perhaps it could be directed by a prosecutor's office for testing purposes.

WU: I want to be clear—I'm not trying to stump you on this—when you previously said that a lab technician could, on their own, additionally test it for fentanyl, is that your intent or not?

MURR: I believe that should be an option that's available, yes. Typically, however, the process as it unfolds is it is a request that is sent in by law enforcement. Sometimes they work with a coordinating prosecutor's office, and so they're going to be the ones that are directing, "Hey, we have a substance, we need it tested and here's what we need it tested for."

WU: So in the ideal circumstances under your vision of this law, for the purposes of legislative intent, is that it would be the submitting prosecution office who would tell a laboratory, whether it's the DPS lab, or their local lab, or a private lab, whether or not they need to test for it.

MURR: Yes, while that is the intent that whoever is submitting the evidence to be tested, we want them to drive the bus as far as making that determination. If your forensic scientist looks at the evidence and sees that it has manufacturer markings that indicate it could be fentanyl, then we want the lab technician to go ahead and test for that as well.

WU: Absolutely. Just one last question. If in a case a sample was not tested for fentanyl, but later on it turned out to have fentanyl in it, is there any kind of exclusionary rule or any way that would affect the evidence being presented in a case?

MURR: No, not to my knowledge.

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Murr and Representative Wu on **HB 178**.

The motion prevailed.

HB 178 was passed to engrossment.

HB 367 ON SECOND READING**(by Jetton)**

HB 367, A bill to be entitled An Act relating to the powers and duties of the State Commission on Judicial Conduct.

HB 367 was passed to engrossment.

CSHB 25 ON SECOND READING**(by Talarico, Frank, Burrows, Rose, Klick, et al.)**

CSHB 25, A bill to be entitled An Act relating to wholesale importation of prescription drugs in this state; authorizing a fee.

CSHB 25 was passed to engrossment.

CSHB 1337 ON SECOND READING**(by Hull, Oliverson, Harless, J. González, A. Johnson, et al.)**

CSHB 1337, A bill to be entitled An Act relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.

CSHB 1337 was passed to engrossment.

CSHB 249 ON SECOND READING**(by Rogers, Lozano, Darby, C.J. Harris, Buckley, et al.)**

CSHB 249, A bill to be entitled An Act relating to a school security volunteer program in certain counties.

Amendment No. 1

Representatives Patterson, Toth, C.E. Harris, Troxclair, Vasut, Cain, Isaac, Dorazio, Harrison, and Schatzline offered the following amendment to **CSHB 249**:

Amend **CSHB 249** (house committee report) on page 1, line 20, by striking "200,000" and substituting "one million".

Amendment No. 1 was adopted.

HB 249 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WU: The volunteers that this law would create, they're not intended to be police officers, correct?

REPRESENTATIVE ROGERS: Excuse me. They're not currently police officers?

WU: Are they intended to act as police officers?

ROGERS: No, not as police officers like they would in other conditions. These would be just volunteers to provide security at events, and particularly in rural communities, right?

WU: This is not a trick question. If a person walks up to them, if I walked up to one of these volunteers and I asked them, "Are you a licensed TCOLE police officer?" what should their answer be?

ROGERS: They're a retired police officer, not a current police officer.

WU: Right. Not currently licensed.

ROGERS: Correct.

WU: Okay. And you understand that school resource officers in public schools are police officers, correct?

ROGERS: Correct.

WU: Are you intending for the volunteers to be created by this legislation, are you intending them to act as school resource officers?

ROGERS: No, they will not act as school resource officers, but they will collaborate with school resource officers, also collaborate with anyone that's participating in another plan. We have the Marshal plan, we have the Guardian program.

WU: The reason I ask that is because the police officers who serve as school resource officers are—they have special requirements to meet—special TCOLE training to meet—in order to qualify as a school resource officer. Does that make sense?

ROGERS: Yes.

WU: And my concern is that you have people in schools who are acting in a position of authority. I want to make sure it's clear what their roles are and whether they can go break up a fight, whether they can restrain a student, whether they can mace or taser somebody. That's not something that your bill envisions that they can do, right?

ROGERS: The intent would not to be involved at all with just minor disciplinary things like that. It would be strictly for security, for providing security against any kind of an adverse event, not just minor things that would go on during the school, minor disciplinary procedures.

WU: So I want to be very clear about this because your bill does provide them with legal civil liability protections, right?

ROGERS: Yes, they would be protected from liability unless there was gross negligence just like an employee would.

WU: And so that's why I want to be very clear in your legislation, be very clear about the intent of this legislation that they're not to, basically, engage in activities that a trained police officer would engage in as a school resource officer. Is that a fair statement?

ROGERS: That's correct.

(C.J. Harris in the chair)

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Rogers and Representative Wu on **CSHB 249**.

The motion prevailed.

A record vote was requested by Representative Wu.

CSHB 249, as amended, was passed to engrossment by (Record 147): 98 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bhojani; Bonnen; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Goldman; Guerra; Guillen; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, R.; Lozano; Lujan; Metcalf; Meyer; Moody; Morales, E.; Morrison; Muñoz; Murr; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Anchía; Bernal; Bowers; Bucy; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Manuel; Martinez; Meza; Morales, C.; Neave Criado; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Harless; Martinez Fischer; Schofield.

Absent — Gervin-Hawkins; King, T.; Lopez, J.; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 147 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 147 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 147 was taken, I was shown voting yes. I intended to vote present, not voting.

Guerra

When Record No. 147 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Speaker in the chair)

ADJOURNMENT

Representative Canales moved that the house adjourn until 10 a.m. tomorrow in memory of Julian Figueroa of Mexico City, Mexico.

The motion prevailed.

The house accordingly, at 12:21 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HR 961 (By Slaton), Commemorating Good Friday on April 7, 2023.
To Resolutions Calendars.

HR 965 (By Slaton), Commemorating Easter 2023.
To Resolutions Calendars.

HR 983 (By Stucky), In memory of Fred Meyers of Bridgeport.
To Resolutions Calendars.

HR 985 (By Price), Commemorating the 100th anniversary of the Sherman County Courthouse.
To Resolutions Calendars.

HR 986 (By Burns), In memory of Sandra Gail Cullins Holland of Rockwall.
To Resolutions Calendars.

HR 987 (By Leach), In memory of Sandra Gail Cullins Holland of Rockwall.
To Resolutions Calendars.

HR 988 (By Leach), Commemorating Texas Deposition Reporting Day at the State Capitol on April 18, 2023.

To Resolutions Calendars.

HR 989 (By Longoria), Congratulating Leslie Flores of Santa Rosa High School on winning a state title at the 2023 Texas High School Women's Powerlifting Association 3A Division II State Championships.

To Resolutions Calendars.

HR 990 (By Longoria), Congratulating the Edcouch-Elsa High School girls' powerlifting team on winning the 2023 THSWPA 5A Division II state championship.

To Resolutions Calendars.

HR 991 (By Stucky), Congratulating Deputy Chief Rachel Fleming on her retirement from the Denton Police Department.

To Resolutions Calendars.

HR 992 (By Stucky), In memory of Melvin Jay Meadows of Cottondale.

To Resolutions Calendars.

HR 993 (By Moody), Commemorating the establishment of the Castner Range National Monument near El Paso.

To Resolutions Calendars.

HR 994 (By Craddick), Recognizing May 6-12, 2023, as Midland Health Nurses Week.

To Resolutions Calendars.

HR 995 (By Morrison), In memory of Will Martin Jr. of Victoria.

To Resolutions Calendars.

HR 996 (By Morrison), In memory of Claud Barton Jacobs of Victoria.

To Resolutions Calendars.

HR 997 (By Longoria), Congratulating Keily Guzman of La Joya Early College High School on winning a state title at the 2023 Texas High School Women's Powerlifting Association 6A State Championships.

To Resolutions Calendars.

HR 998 (By Canales), Honoring Fire Chief Shawn M. Snider for his exemplary service to the City of Edinburg.

To Resolutions Calendars.

HR 999 (By Leo-Wilson), Congratulating Four Corner Oil in Anahuac on its grand opening.

To Resolutions Calendars.

HR 1000 (By C.J. Harris), Congratulating Connie Hickman on her retirement as justice of the peace for Navarro County Precinct 4.

To Resolutions Calendars.

HR 1001 (By Darby), In memory of former State Representative Robert R. "Bob" Turner of Voss.

To Resolutions Calendars.

HR 1002 (By Kacal), In memory of Larry Leon Weiseman.
To Resolutions Calendars.

HR 1003 (By Kacal), In memory of Theresa Linda Becka of College Station.
To Resolutions Calendars.

HR 1004 (By Geren), Congratulating Sonny Dykes, head coach of the Texas Christian University football team, on a successful 2022 season.
To Resolutions Calendars.

HR 1006 (By J.E. Johnson), Congratulating the Dallas College Brookhaven Campus women's soccer team on winning the 2022 NJCAA Division III national championship.
To Resolutions Calendars.

HR 1007 (By Stucky), Congratulating the University of North Texas men's basketball team on winning the 2023 National Invitation Tournament.
To Resolutions Calendars.

HR 1008 (By Thimesch), Recognizing the AVID program at Lamar Middle School in Lewisville ISD.
To Resolutions Calendars.

HR 1010 (By Lujan), Congratulating Nicole Bernal on receiving the KENS 5 EXCEL Award for Randolph Field ISD.
To Resolutions Calendars.

HR 1013 (By Thimesch), Commending Kristi Hassett for her service to the Lewisville ISD Board of Trustees.
To Resolutions Calendars.

HR 1014 (By Thimesch), Commending Tracy Scott Miller for his service on the Lewisville Independent School District Board of Trustees.
To Resolutions Calendars.

HR 1015 (By Thimesch), Commemorating the 50th anniversary of Christian Community Action in Denton County.
To Resolutions Calendars.

HR 1016 (By Manuel), Honoring Legacy Community Development Corporation for its contributions to Southeast Texas.
To Resolutions Calendars.

HR 1017 (By J. González), Commemorating the ribbon-cutting ceremony for Stevie Ray Vaughan Park in Cockrell Hill on April 22, 2023.
To Resolutions Calendars.

HR 1018 (By J. Lopez), Recognizing Texas Counseling Association Advocacy Day on April 11, 2023.
To Resolutions Calendars.

HR 1019 (By Paul), In memory of Stanley James Briers.
To Resolutions Calendars.

SCR 41 to Resolutions Calendars.

List No. 2

HR 984 (By Plesa), Honoring Collin College for its commitment to keeping the cost of tuition affordable.

To Higher Education.

HR 1020 (By Meza), Recognizing the contributions of Sikhs to Texas and the Baisakhi festival.

To State Affairs.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, April 11, 2023

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 8 Creighton

Relating to public education, including parental rights and public school responsibilities regarding instructional materials and the establishment of an education savings account program.

SB 9 Creighton

Relating to the rights, certification, and compensation of public school educators and assistance provided to public schools by the Texas Education Agency related to public school educators and to certain allotments under the Foundation School Program.

SB 130 Campbell

Relating to the regulation by a municipality or county of certain employment benefits and policies.

SB 175 Middleton

Relating to the use by a political subdivision of public funds for lobbying and certain other activities.

SB 1907 Bettencourt

Relating to preparing and delivering precinct election returns; increasing a criminal penalty.

SB 1950

Bettencourt

Relating to accepting an early voting ballot voted by mail; creating a criminal offense.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 10

Business and Industry - **HB 2574**

Corrections - **HB 93**

County Affairs - **HB 899, HB 995, HB 1159, HB 1195, HB 2304, HB 3477, HB 3607**

Criminal Jurisprudence - **HB 412, HB 1442, HB 1712, HB 3260**

Culture, Recreation, and Tourism - **HB 2719, HB 4757**

Defense and Veterans' Affairs - **HB 282, HB 836, HB 837, HB 2958, HB 3099, HB 4615, HB 4908**

Judiciary and Civil Jurisprudence - **HB 530, HB 603, HB 1741, HB 1791, HB 1989, HB 2381, HB 2431, HB 2741, HB 3331**

Natural Resources - **HB 1565, HB 1646, HB 1949, HB 2416, HB 2941, HB 3007, HB 3059, HB 3278, HB 3731, HB 3990, HB 4872, HB 5052**

Pensions, Investments, and Financial Services - **HB 600, HB 3056, HB 3493, HJR 2**

State Affairs - **HB 1500, HB 1570, HB 1620, HB 2157, HB 2469**

Transportation - **HB 3805, HB 4422, HJR 144**

ENGROSSED

April 10 - HB 1, HJR 126, HJR 135

RECOMMENDATIONS FILED WITH THE SPEAKER

April 10 - HB 5025

